

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CARLOS ALDANA,  
 Plaintiff,

v.

21<sup>ST</sup> CENTURY INSURANCE COMPANY,  
 Defendant.

Case No. 2:23-cv-01574-CDS-NJK

**ORDER**

[Docket No. 27]

Pending before the Court is the parties' stipulation to extend discovery deadlines. Docket No. 27.

A request to extend discovery deadlines must include a statement specifying the discovery completed, a specific description of the discovery that remains, the reasons why the subject deadline cannot be met, and a proposed schedule for completing the outstanding discovery. Local Rule 26-3. The request must also be supported by a showing of good cause. *Id.* The good cause analysis focuses on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). This showing of diligence is measured by the movant's conduct throughout the entire period of time already allowed. *CC.Mexicano.US, LLC v. Aero II Aviation, Inc.*, 2015 U.S. Dist. LEXIS 169110, at \*11-12 (D. Nev. Dec. 15, 2015). If diligence is not established, the Court's inquiry should end. *Johnson*, 975 F.2d at 609 (internal citation omitted). Further, if the request is being made after the expiration of a subject deadline, a showing of excusable neglect is also required. Local Rule 26-3.

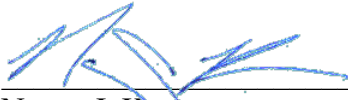
Here the parties have not demonstrated either good cause or excusable neglect. No substantive discovery has yet been conducted. Docket No. 27 at 1. The parties seek a discovery extension because of the parties' pending motions. *Id.* at 2. The parties, in effect, have granted themselves a stay of discovery and now request a 90-day extension. A stay of discovery can only

1 be granted by the Court. Such conduct does not establish diligence and the Court cannot find  
2 good cause for the extension. Further, the parties seek to reopen the initial and rebuttal expert  
3 disclosure deadlines. *Id.* However, the parties fail to demonstrate excusable neglect. *See id.*

4 Accordingly, the parties' stipulation to extend discovery deadlines is **DENIED** without  
5 prejudice. Docket No. 27. Any subsequent request must fully address all applicable standards  
6 and comply with this Court's Local Rules.

7 IT IS SO ORDERED.

8 Dated: March 12, 2024

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12 Nancy J. Koppe  
13 United States Magistrate Judge  
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